

THE
Bishop of *Salisbury*
HIS
S P E E C H
IN THE
H O U S E O F L O R D S ,
O N T H E

First Article of the Impeachment
of Dr. *Henry Sacheverell.*

L O N D O N :

Printed in the Y E A R , 1710.

(Price Two Pence.)

The Bishop of Salisbury's Speech in the House of Lords, &c.

THE Council for the Prisoner did so plainly and fully yield all that any Loyal Subject has ever pretended to, that in Cases of extream Necessity, Self-defence and Resistance were Lawful, and that this was the Case at the Revolution; that it may not be necessary to say any thing further on this Head, if it had not been that the Evidence they brought seemed to carry this Matter much further, and that the Prisoner himself allow'd of no Exception, in Cases of Necessity. And since it is grown to be a vulgar Opinion, That by the Doctrine of the Church of England, all Resistance in any Case whatsoever, without Exception, is Condemn'd; I think it is incumbent on me, who have Examin'd this Matter long and carefully, to give you such a clear Account of this Point, as may as fully satisfie you as it did my self.

I served in the Revolution, and promoted it all I could. I served as Chaplain to the Late King: I had no Command, and carried no Arms, but I was so far engag'd in it, that if I could see that I had gone out of the Way in that (and the many Up and Downs we have gone thro' since, has given much Occasion to reflect on that Transaction) I should hold my self unworthy to appear longer, either in this Habit, or in this Great Assembly: But shd. think my self bound to pass away the rest of my Life in Retirement or Sorrow. There is nothing more certain in Religion, than that we ought to repent of every Sin we have committed; and that we cannot truly repent, unless we repair and restore as far as it is in our Power.

I go now to give you the Account of the Doctrine of our Church in this Particular. In the Times of Popery it was a Tener, built upon Bishops setting the Crown on the Heads of Princes, and Anointing them, that they held their Crowns of the Church, and at the Pope's Mercy; who had for about 500 Years got into the Claim of deposing them, and giving their Dominions to others, in case they were Hereticks, or the Favourers of them. But the Reformation being in its first beginning, protected by the Princes of *Germany*, by the Kings of the *North*, and then by the Kings of *England*; they came every where in Opposition to the Papal Notions, to say that Kings had their Power from God: Not that they meant, that they had any Distinct Authority besides the Law of the Land

Land derived to them from God ; but by that the Laws of God, the Authority of the Law of the Land, was secured to them. For when a different Authority from that of the Law came to be pretended to, and to be grounded on these general Expressions, that received here a Parliamentary Censure, and it was then declared that the Laws of Religion in the Scripture did only establish the several Constitutions and Governments that were in the different Parts of the World.

The Occasion that the Apostles had to write what we find in their Epistles, with relation to Government, was this ; The Jews had a Notion among them from a Passage in *Deuteronomy*, that they were only to set a King over them, *One from among their Brethren, and not a Stranger*. From Whence it is, That to this Day they do not think they are bound in Conscience to Obey any Magistrate, who is not one of their Nation. Now the first Converts to Christianity being Jews, the Apostles took care that they should not bring this dangerous Notion with them into the Christian Religion : But they did not meddle to determine where this Authority was lodg'd, that was to be gather'd out of the several Constitutions : They did not determine how much was due to the Emperor, and how much to the Senate : And tho' not long after those Epistles were writ, the Senate condemned *Nero* to dye *More Majorum*, to be whipt to Death ; none of the Christians interposed in that Matter. He prevented that infamous Death by, his own Hands : And the Primitive Christians reckon'd it one of the Articles of the Glory of their Religion, that their first Persecutor came to such an End.

Not long after that *Trojan* was fam'd for that memorable Expression, when he deliver'd the Sword to the Governours of the Provinces, as the Emblem of their Authority, he us'd these Words, *Pro me, si merear in me* ; For me, but if I deserve it, against me. That did not weaken his Authority : His good Government with that of his Successors for above 80 Years, being the greatest and happiest time the *Romans*, had under their Emperors. This Word was put on King *James* the First's Coin in *Scot'and* : It is true, that was during his Minority ; but when he afterwards changed his Motto, the Coin was not call'd in, but continu'd Current till the Union.

The Primitive Christians had no Laws in their Favour, but many against them : So their patient suffering so many Persecutions according to the Laws of the Empire, under which they liv'd, was conform to the Doctrine laid down by the Apostles. When they came afterwards to have the Protection of Laws, they claim'd the Benefit of them, not without great Violence, when they thought an Infraction was made on those Laws : Which broke out into great Tumults, in

many of the chief Cities of the Empire, not excepting the Imperial City it self.

But to proceed with the History of our Church: When the Articles of Religion were settled, the Books of the *Apocrypha* were indeed declar'd not to be a part of the Canon of the Scripture, but yet to be useful for the *Example of Life*, and the *Instruction of Manners*. A great part of these are the Books of the *Maccabees*, which contain the History of the Jews shaking off the Yoke of the Kings of *Syria*, when they were broke in upon by a total Overthrow of their whole Law, and an unrelenting Persecution. *Mattathias* a private Priest began the Resistance, which was carried on by his Children, till they shook off the *Syrian* Yoke, and formed themselves into a free Government, under the Family of the *Maccabees*. It were easie to shew that the Jews had been for above 400 Years subject, first to the *Babylonian*, then to the *Persian*, and at last to the *Grecian* Empire: So that by a long Prescription they were Subjects to the Kings of *Syria*. It were easie also to shew that this Resistance was foretold by *Daniel*, in Terms of high Commendation, and is also mention'd in the Epistle to the *Hebrews*, as the Work and Effect of their *Faith*. If then all Resistance to illegal and barbarous Persecution, is unlawful; these Books contain nothing but a History of a Rebellion, and all the Devotion that runs through them, is but a Cant, and instead of reading them as *Examples of Life*, and *Instruction of Manners*, we ought to tear them out of our Bibles with Detestation. I shall afterwards shew what use was made of these Books, not only by private Writers of our Church, but by what the whole Body in Convocation was about to determine.

The next Step to be made, is, to consider the Homilies: The Second Book of Homilies, which has the Homilies in it against *Wilful Rebellion*, is generally believed to have been compos'd by Bishop *Jewell*, who was by much the best Writer in that time. It is certain, he understood the meaning of them well: Now I will read you two Passages out of his Defence of his Apology for the Church of *England*; from whence we may clearly gather what his Notion of Rebellion was, and that he thought a Defence against unjust and illegal Violence was not Rebellion. In one place he has these Words;

*The Nobles of Scotland neither drew the Sword, nor attempted War against the Prince: They sought only the Continuance of God's undoubted Truths, and the Defence of their own Lives against your barbarous and cruel Invasions: They remember'd, besides all other Warnings, your late Dealings at *Vassy*, where great Numbers of their Brethren were murder'd, being together at their Prayers in the Church, holding up their Innocent Hands to Heaven,*

ven, and calling upon God. In another place he writes, Neither do any of all these (Luther Melanchthon) teach the People to rebel against their Prince: But only to defend themselves by all lawful Means against Oppressions, as did David against Saul, so do the Nobles in France at this Day, they seek not to kill, but to save their own Lives.

These Passages shew that he looked on Rébellion to be a violent Rising against a Prince executing the Laws, which was the Case of the Three Rebellions in *England* that they had in view: That in K. *Henry* the VIIIth's, in K. *Edward*'s, and in Q. *Elizabeth*'s Time, where the Papists took Arms against their Prince, who was executing Laws made in Matters of Religion, and that with a great Gentleness. Of the Eleven Passages quoted by the Prisoner out of the Homilies, Five plainly relate only to the Coercing the Person of the Prince, in which *David* is set in Opposition to those Rebels now, tho' he indeed defended himself, yet he had a just and sacred Tenderness to the Person of *Saul*, when he had him in his Power, which is certainly Sacred by our Constitution. Five of them relate to Wicked Princes. It was never pretended by any who pleaded for Necessary Defence, that the bad Life of a Prince can be a just Cause of Resistance: Yet that was then pretended; for K. *Henry* VIII. had given too much occasion to reckon him a Wicked Prince. So there is only one of all the Passages quoted from those Homilies, that relates simply to Rebellion in general: And it has appear'd what Bishop *Jewell*'s Sense of the Matter was. There is also a Prayer at the end of every Division of the Homily against *Wilful Rebellion*, (and by the by *Wilful* was not put in the Title for nothing) for those oppressed by Tyranny in other Parts, that they might be relieved, and that those who were in fear of their Cruelty mighted be comforted.

Let us next look thro' Q. *Elizabeth*'s Long and Glorious Reign, and see what was the constant Maxim of that time.

The Year after the Queen came to the Crown, the War in *Scotland* broke out between the Queen Regent that Govern'd by Commission, from her Daughter then Queen of *France*, and the Lords in *Scotland*. She, to obtain the Matrimonial Crown to be sent to *Frances* the II^d. gave Assurances for the Exercise of the Reformed Religion; but that Point being gain'd, she broke all her Promises, and resolyed to force them to return to the Exercises of the Popish Religion: Upon which the Lords of *Scotland* formed themselves into a Body, and were called the Lords of the Congregation. Forces were sent from *France* to assist the Queen Regent; upon that Q. *Elizabeth* entred into an Agreement with the *Scottish* Lords, and sent an Army to their Affiance, which continued in *Scotland* till

all Matters were settled by the Pacification of *Leith*: And in a *Manifesto*, that I have in my Hands, set forth 25 Years after that, I find Her reflecting on that Interposition in the Affairs of that Nation with great Satisfaction.

The Year after this War was ended, upon *Frances* the *III*rd's Death, *Charles* the *IX*th, who was a Child, succeeded in *France*. Edicts were granted in favour of the Protestants: These were soon after broken by the *Triumvirat*, and upon that follow'd a Series of Wars often pacified, but always breaking out again, by reason of the Violence and Cruelty of the Government. All these Wars, till *Henry* the *IV*th was settled on the Throne, were in a Course of 28 Years, that which some would call *Rebellion*, being carried on against two succeeding Kings. Yet the Queen was in all that time still assisting them with Men and Money.

In the Year 1568. the Provinces in the *Netherlands* threw off the *Spanish* Yoke, that was become intollerably severe and cruel. The Queen for some Years assisted them more covertly, but when the Prince of *Orange* was kill'd, and they were in danger to be over-run, she took them more openly into her Protection; and by the *Manifesto* which I have in my Hands, She published the Grounds upon which She proceeded. She laid down this for a Foundation, That there had been an Ancient League not only between the Crown of *England*, and the Princes of the *Netherlands*, but between the Subjects of both Countries, under their Seals interchangeably, for all Friendly Offices. If this was a good Reason for the Queen's giving Aid to the Oppressed People of the *Netherlands*, then if the Case had been reversed, that the People of *England* had been illegally and cruelly oppressed, it furnished the Princes of those Provinces with as good a Reason for assisting them. In this Assistance given the States, the Queen persist'd till the End of Her Reign; nor was this only done by the Court, but both Parliaments and Convocations granted Her several Aids to maintain these Wars: And in the Preambles of those Subsidy Acts, the Queen's Proceedings in those Particulars were highly approv'd and magnify'd. *Bilson* Bishop of *Winchester*, and several other Writers in that time, justified what she did; and not one that I ever heard of censured or condemned it.

Upon King *James*'s coming to the Crown, the first great Negotiation was for a Peace between *Spain* and the *United Provinces*; which lasted several Years. The States insisted on a Preliminary, That they should be Acknowledged Free, Sovereign, and Independent States; the *Spaniards* would not yield to this, nor would the States recede from it. Some here in *England* began to say, They were Form'd in *Rebellion*,

bellion, and ought not to carry their Pretensions too far: Upon that, King *James* suffer'd a Convocation to meet; and a Book of Canons, with relation to the Supream Authority, was prepar'd; in which, tho' the Authority of the Prince, even when he becomes a Tyrant, is carried very far; yet the Case of the *Maccabees* is Stated; and, it was determined, That when a new Government, tho' begun in a Revolt, is come to a thorow Settlement, it may be owned as Lawful. King *James*, who was jealous enough of the Regal Authority, yet did not like their carrying these Matters so far: He order'd the whole Matter to be let fall so entirely, that there is not a Word of it in the Books of Convocation: But Archbishop *Sancroft* found this Collection of Canons at *Durham*, under Dr. *Overall's* Hand, which he Copied out, and Licensed the Book a few Days before he fell under his Suspension. I soon saw that it had a Relation to the Affairs in *Holland*: For the Dutch delighted to compare their first Beginnings to that of the *Jews* in *Antiochus's* time: They compared King *Philip* to *Antiochus Epiphanes*, and the Prince of *Orange* to *Judas Maccabæus*. But I saw much clearer into the Matter by an Original Letter of King *James*, which a worthy Gentleman sent me. I knew his Hand well, the Letter is in Print; but I will read some particulars out of it. It is Directed to Dr. *Abbot*, afterwards Archbishop of *Canterbury*. It begun with Censuring some Positions concerning a King in Possession, the same with our Modern Term of a King *de facto*: He goes on in these Words, *My Reason of calling you together, was to give your Judgments, how far a Christian and a Protestant King, may concur to Assist his Neighbours to shake off their Obedience to their own Sovereign, upon the Account of Oppression, Tyranny, or what else you like to name it.* In the late Queen's Time, this Kingdom was very free in Assisting the Hollanders both with Arms and Advice; and none of your Coa't ever told me, that any scrupled about it in her Reign. Upon my coming to England, you may know, it came from some of your selves to raise scruples about this Matter; yet I never took any notice of these scruples, till the Affairs of Spain and Holland forced me to it. I call'd my Clergy together, to satisfie not so much me, as the World about us, of the Justness of my owning the Hollanders at this time. This I needed not to have done, and you have forced me to say, I wish I had not. He reflects on those, who had a great Aversion to the Notion of God's being the Author of Sin, which plainly Points at Dr. *Overal*, who was the first Man of Note among us, that Opposed the *Calvinists* Doctrine of Predestination; yet he says, *They had gone to the Threshold of it, by saying, That even Tyranny was God's Authority, and should be Reverenced as*

such. He concludes, *These were edg'd Tools, and that therefore they were to let them rest,* Here is a full Account of King James's Thoughts of this Matter, which was then the chief Subject of Discourse all Europe over. He had Twelve Years before this, shewed on an Eminent Occasion, that he owned the States, when he Invited them in the Year 1593. to Christen his Eldest Son, Prince Henry. They were sensible of the great Honour done them by it ; and tho' they were then but Low, they sent an Embassy, with a noble Present of Gold Plate, to Assist on that Occasion. This Negociation stuck for several Years, the Spaniards refusing to own them in express Words : The Temper found was, they were treated with *(tamquam)* as with Free States ; and the Matter went no further at that time, than a Truce for some Years, which was Concluded in the Year 1609. This lets us see, That the Words in King James's Speech that Year to his Parliament, were not chance Words that fell carelessly from him, *A King leaves to be a King, and degenerates into a Tyrant, as soon as he leaves off to Govern by Law : In which case the King's Conscience may speak to him, as the poor Woman to Philip of Macedon, Either Govern by Law, or cease to be a King.*

There is another eminent Instance towards the End of that Reign, that shews what the Sense of our best Divines was in this Matter : When the Archbishop of York's Son and Mr. Wadsworth had changed their Religion in Spain, Wadsworth writ over a bold Defence of that ; and among other Things, Charged the Reformation with Rebellion. This was Answer'd by one of the best Books of that Time, writ by Dr. Bedell, Dedicated to the Prince of Wales, who afterwards Promoted him to a Bishoprick. His Words on this Head are full : I will read some of them. *Do you think Subjects are bound to give their Throats to be cut by their Fellow-subjects, or to their Prince, at their mere Wills, against their own Laws and Edicts ? You would know quo jure the Protestants Wars in France and Holland, are justified, First, The Law of Nature, which not only alloweth, but inclineth and inforceth every living Thing to defend it self from Violence. Secondly, That of Nations, which permitterth those who are in the Protection of others, to whom they owe no more than an honourable Acknowledgment, in case they go about to make themselves absolute Sovereigns, and to usurp their Liberty, to Resist and Stand for the same. And if a Lawful Prince, who is not yet Lord of his Subject's Lives and Goods, shall attempt to despoil them of the same, under colour of reducing them to his own Religion, after all humble Remonstrances, they may stand upon their own guard, and being assailed, resist Force with Force, as did the Maccabees under Antiochus. In which case notwithstanding, the Person of the Prince himself*

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ought always to be Sacred and Inviolable, as was Saul to David. No Commentary is wanted here,

My Lords, You see how this Matter stood during King James's Reign. In the first Year of King Charles's Reign, *Grotius's Book de Jure Belli & Pacis*, was Published at Paris, Dedicated to the King of France, while France was under the Administration of the wisest and most jealous Minister of the last Age, Cardinal Richelieu. In that Book, in which he asserts the Rights of Princes with great Zeal, yet he enumerates many Cases, in which it is Lawful to Resist, particularly that of a total Subversion: And that Book is now all Europe over in the highest Reputation of any Book that the Modern Ages have produced. In the Beginning of King Charles's Reign, a War broke out in France, against the Protestants; upon which he sent over Ambassadors, by whose Mediation a Peace was Concluded; but that being ill kept, the War broke out again; and the King thought himself Bound by his Mediation to Protect the Protestants. So in the Second Session of the Parliament 1628. In the Demand of a Supply that the Lord Keeper Coventry made in the King's Name, these Words are to be found, *France is sway'd by the Popish Faction; and tho' by his Majesties Mediation, there were Articles of Agreement between that King and his Subjects, that Treaty hath been broke, and those of the Reformed Religion will be ruined without present Help.* Upon this the Commons petitioned the King for a Fast, and desired the Concurrence of the Lords, who join'd with them in it. The King granted it, and an Office was Compos'd suitable to the Occasion; in which among other Devotions, the Nation was directed to pray for all those, *who here or else-where were fighting God's Battels and Defending his Altars.* Thus the whole Body of the Legislature did concur for a Fast for that, which if this Doctrine is true, was no better than Rebellion; and yet the whole Nation, Clergy and Laity were requir'd to Pray for Success in it.

But to compleat this View of the Doctrine of our Church, it is to be consider'd, That when a Year before this, while the Loan or Benevolence were carried on, some officious Divines made use of those Expressions of Kings having their Power from God, as importing an Authority of a Nature Superior to the Laws of the Land. One of these, Dr. Mawaring, was Impeached, and had a severe Sentence passed on him for it. So I have now made it out, beyond I hope the possibility of Contradiction, that for 70 Years together, from 1558, to 1628, the Lawfulness of Self-defence in the Case of Illegal and Violent Cruelty, was the Publick and Constant Doctrine of this Church.

These were the best and happiest times of our Church, as is often repeated by the Earl of *Clarendon*: From these we ought to take the Standard of our Doctrine.

I go next to shew what was the common Doctrine for the next 60 Years, from 1628, to 1688. I must yield up the first twelve Years: For upon the unhappy Misunderstanding between the King and that Parliament, there was a long discontinuance of Parliaments, then the lately Condemned Doctrine was again in Vogue; and nothing was so much heard of, as the Law of Government that was from God, Antecedent to all human Laws: Out of this sprung illegal Imprisonments, illegal Monopolies, severe Proceedings in the Star-Chamber, but above all, the Ship-Money. These things put the Nation in an Universal dis-jointing and feebleness. And when an unavoidable necessity forced that King to call a Parliament, the fatal Effects of those Councils broke out terribly. I know many fancy, that the War is to be charged on the Principles of Self-defence: They are much mistaken. I had occasion to see a great way into the Secret of that time, when I examin'd the Papers relating to the two Dukes of *Hamilton*. I knew a great deal more since from two Persons of unquestionable Integrity, who knew the Secrets of that time, the Lord *Hollis*, and Sir *Harbottle Grimstone*; but all receiv'd a full Confirmation, when I found it agreed perfectly with the noble Account given by the Earl of *Clarendon*.

No Body dreamt of a War, nor had they any Principles leading to it. But there was an unhappy Train of Accidents that hindred Matters from being brought to a Settlement, even while the King was granting all they could desire. Stories were carried by Persons about both the King and Queen, of words let fall, that made them conclude, there were still ill Designs on foot, against the Laws that were then passed. But that which brought all to a Crisis, was the Discovery of a Negotiation, to engage the Army to Declare against the Parliament. Whosoever compares the Depositions in *Rushworth*, with the Account given of that Matter by the Earl of *Clarendon*, will see there is a great deal more in the one, than the other is willing to believe; tho' he acknowledges they had both *Goring's* Evidence, and *Piercy's* Letter with them. I will not take it upon me to determine, whether they believ'd too much, or the Earl of *Clarendon* too little. It is certain, they believed all that was in the Depositions, and a great deal more: For *Goring* being continued in the Government of *Portsmouth*, and his Father being advanced from being a Baron to be an Earl, and *Piercy's* being made a Lord, and Master of the Horse to the P. of *Wales*, made them conclude they had suppressed a great deal, instead of saying more

more than was true. This stuck deep in their Hearts, and at last fatally broke out in the Demand of the Militia, that brought on the War, which I do own was plainly a *Rebellion*, because a Force was offer'd to the King, not to defend themselves from an unjust Invasion, or illegal Grievances, but to extort a new Law from him.

Thus the true Occasion of the War, was a Jealousie, that a Conduct of 15 Years had given too much ground for ; and that was still unhappily kept up, by a fatal Train of Errors in every step that was made. The great Concussion that the War gave the Nation, and the barbarous Effusion of so much Blood, especially of the Royal Blood of that Blessed KING, had at last a happy, tho' a late Conclusion in the *Restoration* : And it's no wonder, if such a Series of Tragical Events, begot a general Horror at the Occasion of them. But then it was, that had it not been for the Firmness of the Earl of *Clarendon* to his *English* Principles, the Liberties of the Nation had been deliver'd up.

It is to his Memory, that we owe our being a free People ; for he with his two great Friends, the Duke of *Ormond*, and the Earl of *Southampton*, check'd the forwardness of some who were desirous to load the Crown with Prerogative and Revenue. He stopt all this, which being afterwards odiously represented, brought on him that great and lasting, but honourable Disgrace. The Earl of *Southampton*, whose Death went a little before his Fall, and perhaps hastned it the sooner, said to many about him, that he was a true Protestant, and an honest *English-man* ; and that the Nation would feel the Effects of his being removed, whensover it might happen.

That Lord, in the great Settlement after the Restoration, would carry things no farther, than to repeal what had been extorted by the Tumults ; and in the matter of the Militia-Act, and the Oaths relating to it, all was more cautiously worded, than is commonly understood. To the Word *Commission'd by the King*, some indeed moved, that the word Lawfully might be added, to make all plain. This was press'd in the House of Commons by *Vaughan*, afterward Lord Chief Justice of the Common-Pleas. The Attorney General, afterwards Lord Chancellor *Nottingham*, answer'd, That was not necessary ; for the word *Commission*, import'd it ; since, if it was not Lawfully issued out, to Lawful Persons, and for a Lawful Reason, it was no *Commission* ; and the whole House assented to this ; yet in the House of Lords, the same word *Lawfully* was pressed to be added by the Earl of *Southampton*, who was answer'd by the Earl of *Anglesey* to the same purpose, with what had been said in the House of Commons. He indeed insisted to have the word added, because

cause it would clear all Difficulties with many, who not having heard of the Sense given in both Houses, might fancy, that any sort of *Commission* being granted, it would not be Lawful to resist it. He did not prevail; for it was said, That this Explanation being the Sense of both Houses, it would be soon spread and known over the Nation. In this Sense, it is certain, that it is not Lawful to take Arms against any so *Commission'd* by the King; for that were to take Arms against the King's Commission in the Execution of the Law, which is certainly a resisting the Ordinance of God, *which whosoever do, they shall receive to themselves damnation.*

It was no wonder, if after such a War, the Doctrine of *Non-Resistance* was preach'd and press'd with more than ordinary Warmth, and without any Exceptions; yet some still kept these in view; so did both Dr. *Falkner* and my self; and I know many others had them always in their Thoughts, tho' they did not think it necessary to mention them.

I found the ill effects, that the carrying this Matter so far, had on the Mind of that Unfortunate Prince, King *James*; for in the Year 1673, when he was pleas'd to admit me to much free Conversation with him, among many other things, I told him, it was impossible for him to Reign in quiet in this Nation, being of that Religion; he answer'd me quick, Does not the Church of *England* maintain the Doctrine of *Non-Resistance* and *Passive Obedience*? I begg'd of him not to depēnd on that; for there was a distinction in that matter, that would be found out when Men thought they needed it. I now come to tell your Lordships, how right I judged. —

It is true, they pass'd a very pompous Decree at *Oxford* 1683, but you shall hear how long they stood to it. In Summer, 1686, the Prince of *Orange* was pleas'd to receive me into his Service with a particular Confidence. Soon after the Ecclesiastical Commission was set up, and upon some Proceedings before that Board, he was desir'd from *England* to break with King *James* upon that Head. I opposed this, and said, I was convinced, that Commission was against Law, and would have ill effects, but it did not strike at the whole. This was more warmly press'd upon the Proceedings against *Magdalene College*. I still stood to my ground; and told both Prince and Princess, That if a Breach should follow on these Matters, I could not serve. When indeed the Declaration was publish'd a second time, with a Resolution to have it carried through; and that many Laws were dispensed with at pleasure; and Persons who were under legal Disabilities, were made Judges, Sheriffs and Magistrates; all whose Actions were so many Nullities: Then I thought here was a total Subversion of our Constitution; which from being a

Legal one, was made precarious, subject to mere Will and Pleasure. So I was ready to serve in the Revolution.

Some Days after we came to *Exeter*, Sir *Edward Seymour* came thither, and he presently sent for me: When I came to him, he asked me, Why were we a Rope of Sand, and had not an Association? I said, Because we had not yet a Man of his Weight to begin the Motion: He said, If we had not one by to Morrow, he would leave us before Night. I presently saw a Noble Duke now in my Eye, and acquainted him with this; He went to the Prince, who approving of it, an Association was prepar'd, and laid on the Table next Morning; and was after that Signed by all who came to wait on the Prince. Three days after we left *Exeter*, a Head of a College came to the Prince, to invite him to come to *Oxford*, assuring him, that the University would declare for him. He went as near it as *Abingdon*, but then the sudden Turn of Affairs at *London* obliging him to hast up, the Association was sent thither, and was Signed by the Heads of the College, and many others there; some doing it in a particular Warmth of Expression, and saying, That their Hearts, as well as their Hands went with it. Upon what Disappointments or other Views, I cannot tell, this Contradiction to their famed Decree, five Year after it was made, seem'd to take another Turn back to it again; and the Notion of a King *de facto*, which is but a softer Word for an Usurper, came in Vogue.

The Parliament, to prevent the ill Effects of that, studied to secure the Government, *First*, by an Association, and then by an Abjuration. I, who was always against every thing that might break in upon Conscience, was for making these only voluntary; but they were Enacted, and they were generally taken. A Noble Lord on the Earls Bench, procur'd me the Sight of a Letter, that went about to persuade the taking the Abjuration, that he had from a place where he believed it had its Effect; where I found this Distinction, That the Abjuring any Right whatsoever that the Pretender might claim, was only meant of a Legal Right, and that it had no Relation to *Birth-Right*, or to *Divine Right*. This agreed, with a Report that went then current, That a Person, in a great Post, sent a Message to an Honourable Gentleman, who would not take the Abjuration, that if he had an half Hours Discourse with him, he doubted not to be able to convince him, that he might take the Abjuration, without departing from any of his Principles. Towards the End of the last Reign, a bold Attempt was made on the King's Supremacy, by an Incendiary, who is supposed to have no small Share in this Matter now before your Lordships: But the Attaek on

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the Supremacy being liable to a *Premunire*, it was turn'd with much Malice, and manag'd with great Prevarication against the Bishops, who adhered firmly to their Duty to the King. How great a Disjoining that has brought on this Church, is too visible all the Nation over, and it tends to carry on the wicked Design of distracting the Church, and undermining the Government.

By the time the Queen was on the Throne, or soon after the *Rehearsal* began to be spread over the Nation, three of them a Week, which continu'd for Seven Years together, to be Publish'd without Check or Controul; It was all thro' one Argument against the Queen's Right to the Crown; that, tho' it was diversified with Incidents and Digressions, was kept always in View. The Clergy were in many Places drawn into Subscriptions for this Paper. This look'd like a Design long conniv'd at, to have the Queen's Title undermin'd: Besides this, we had a Swarm of Pamphlets every Year to the same Purpose, and, as was believed, writ by the same Hand. One sold at the Door of the House, with the Title of *King William's Exorbitant Grants*, did plainly call him an Usurper; and starting an Objection against the Queen's possessing the Throne, gave it this Answer, That she did well to keep it till she could deliver it up to the Righteous Heir. At that time there was quick Prosecution of a Paper publish'd, with the Title of *The Shortest Way with the Dissenters*; and upon that, I brought that Pamphlet to a great Minister, and offer'd to shew him this Passage in it, to see if there should be a Prosecution of this Order'd. He turned from me; so whether he heard me or not, I cannot tell: I am sure, if he says he did not, I will believe him. No Prosecution follow'd, and the Rehearsal went on. The Clergy in many Places, met at a Coffee-House on *Saturdays*, to Read the Rehearsals of the Week, which had very ill Effects in most Places. I know it may be said, That the Queen's Learned Council ought to have look'd after these things: But we all know, that they stay till they receive Orders from the Ministry. The Course of that Treasonable Paper has been now for some time stopt, so we see there is some Change in the Ministry. —

But to compleat the Insolence of the Enemies of the Queen and of the Protestant Succession; they had the Impudence to give it out, That the Queen secretly favour'd them: And as this, we all know, has been long whisper'd about among us, so it was more boldly given out in *Scotland*, which oblig'd one of the Queen's Ministers in that Parliament, in a Speech that was Printed, to contradict this treasonable and dishonourable Suggestion, that as some Divines would have it, that there was in God a Secret, as well as a Reveal'd Will, and that these

these might be contrary to one another ; so they would fasten an Imputation on the Queen, that while she reveal'd her Will one way, she had a secret Will another way ; which he solemnly affirmed to be false, and highly Injurious to the Queen.

While the Pamphlets and these Reports were thus set about, Mr. *Hoadly* thought that it became him to assert the Queen's Title, by justifying the Revolution, out of which it rises. But what an Outcry was rais'd on this, that one durst disturb the Progress of a wicked Opinion, that was visibly design'd to overturn the Government : And yet he asserted nothing, but what the Council for the Prisoner did all fully, and plainly own, That in the Cases of extream Necessity, an Exception to the Doctrine was to be admitted, and that that was the Case at the Revolution.

But as these Notions have been long let run among us ; so they have appeared in a most violent and unguarded Manner, ever since the Attempt of the Pretender, and more of late, since the Preliminaries upon the Overtures for a Peace, seems to extinguish their Hopes. What Sermons on this Head are preach'd in this City, at Assizes, at *Bath*, and at many Cathedrals. Furious Men fit themselves with some hot Sermons, which they carry about from place to place, to poison the Nation. This has not only the visible Effect designed by it, of shaking many in their Allegiance to the Queen, and in their adhering to the Protestant Succession ; but it has a cursed Effect on many others, on whom this their Design does not succeed.

I am very sensible there is a great deal of Impiety and Infidelity now spread thro' the Nation : This gives every good Mind all possible Horror ; but I must tell your Lordships, on what a great Part of it is founded ; for since my Conversation with *Wilmot*, Earl of *Rochester*, I have had many Occasions to discourse with Persons tainted with those wicked Principles, and I do affirm it, that the greatest Prejudice these Persons have at Religion, at the Clergy, and at the Publick Worship of God, is this, that they say, They see Clergy-men take Oaths, and use all Prayers, both Ordinary and Extraordinary for the Government, and yet in their Actings and Discourses, and of late in their Sermons, they shew visibly that they look another way ; from whence they conclude, They are a Mercenary Sort of People without Conscience.

I hope there are not many that are so corrupted and so scandalous : I am sure I know a great many that are far otherwise, who Preach, Speak and Act as they Swear and Pray ; but those who act in another way, are Noisie and Impudent, and so bring an Imputation on the whole Body ; and unless an effectual Stop is put to this Distemper, it is not possible to foresee all the ill Consequences that may follow upon it.

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I have, I am afraid, wearied your Lordships; but I thought it was necessary, once for all, to enlarge copiously on this Argument: And now to come close to the Article, and the Sermon, for I meddle not at all with the Person of the Man; Whatever general Expressions might verywell have been used, in setting forth *Passive Obedience* and *Non-Resistance* before the *Revolution*, because odious Cases ought not to be supposed, and therefore are not to be named; yet since *Resistance* was used in the *Revolution*, and that the late King invited all the Subjects to join with him, which was in them certainly *Resistance*; and since the Lawfulness of the *Revolution* is so much controverted, the condemning all *Resistance* in such crude and general Terms, is certainly a Condemning the *Revolution*: And this is further aggravated from those Limitations on *our Obedience*, in an Act past soon after the *Revolution*, by which, in Case our Princes turn *Papists*, or marry *Papists*, the Subjects are in express Words, discharg'd from their Allegiance to them. Certainly this puts an End to the Notion of *Non-Resistance* in any Case, or on any Pretence whatsoever: For these Reasons, I think the first Article of this Impeachment, is both well grounded, and fully made out.

F I N I S.